

REMARKS

This is a full and timely response to the final Office Action mailed December 1, 2006, in which Applicants' Claims 1, 2, 4, 6-8, 10-12, 14-19, and 21-25 were rejected. This after-final amendment does not seek to amend, add, or cancel any pending claims. Instead, the following remarks set-forth grounds that support the allowance of the pending claims in their current form. Applicants respectfully submit that consideration of these remarks is proper under 37 C.F.R. § 1.116 for at least the following reasons: (1) the remarks overcome all of the rejections set forth in the above-identified Office action; (2) the remarks do not raise new issues requiring further search or consideration; and, (3) the remarks present arguments that Applicants may wish to pursue further in appeal, if appeal should become necessary.

I. Claim Rejections under 35 U.S.C. § 103

The Office Action identified above rejects each of Applicants' outstanding claims under 35 U.S.C. § 103(a) as being unpatentable over Silver (US Pat. No. 6,876,970) in view of Hennecke et al. (US Pub. No. 2004/0034527). For Examiner's convenience, Applicants address each of the rejected claims below in the order in which they were rejected.

On page 2, the Office Action rejects Applicants' Claims 1 and 11 under 35 U.S.C. § 103(a) as being unpatentable over the Silver reference in view of the Hennecke reference. The Office Action acknowledges that the Silver reference does not teach a receiver configured to receive a first channel-specific phoneme string associated with a first channel number from a broadcast station. However, the Office Action asserts that the Hennecke reference teaches a "...speech recognition system that breaks down the voice input into phonemes and matches the phonemes into a list or group list," which may be downloaded via a wireless radio network or other such communication system. The Office Action concludes that it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the voice recognition system of the Silver reference with the additional data download training method of the Hennecke reference. Applicants respectfully traverse this rejection.

Applicants do not dispute that the Hennecke reference teaches the step of programming a speech recognition system by downloading a group of list elements over a

radio network; however, Applicants respectfully submit that this, alone, is insufficient to overcome the deficiencies of the Silver reference. That is, Applicants submit that the downloading of a group of list elements over a radio network is not equivalent to the features recited in Applicants' independent Claims 1 and 11 and lacking in the Silver reference for the reasons explained below.

Applicants' independent Claim 1 recites, in relevant part, a radio receiver configured to receive from a broadcast station: (i) a radio signal, and (ii) a first channel-specific phoneme string associated with a channel number. In a similar fashion, Applicants' independent Claim 11 recites the step of receiving from a broadcast station: (i) a radio channel, and (ii) a phoneme string associated with the radio channel. Thus, in each of Applicants' Claims 1 and 11, a phoneme string associated with a radio channel is received from a radio broadcast station that broadcasts over that particular radio channel. For example, a phoneme string associated with radio channel A may be received from a broadcast station that broadcasts channel A.

The Hennecke reference does not teach receiving a phoneme string *associated with a particular radio channel*. The downloaded list elements of the Hennecke reference are described in Paragraph 0017 as "data entries in a list." Paragraph 0017 provides multiple examples of the types of data entries that may be contained in this list, which include place names, street names, personal names, and telephone numbers. However, Paragraph 0017 does not describe or suggest that any of the data entries may take the form of a phoneme string associated with a particular radio channel. Moreover, no other portion of the Hennecke reference provides such a description or suggestion.

The Hennecke reference also does not teach receiving a phoneme string associated with a radio channel *from the broadcast station that broadcasts that particular radio channel*. Indeed, only a single sentence of the Hennecke reference describes the possibility of wirelessly downloading the list elements. This sentence appears in Paragraph 0019 and states, in its entirety, that "[t]he list also may be downloaded via a communication system such as a landline and wireless radio networks, a global satellite network, and the like." In keeping with the example above, this sentence does not teach the reception of a phoneme string associated with radio channel A from a broadcast station that broadcasts channel A.

It is well-known that the prior art references must teach or suggest all of the claimed limitations before a *prima facie* conclusion of obviousness may be established under 35 U.S.C. § 103. MPEP § 2142. It should be appreciated from the above that the Hennecke reference fails to teach the reception of a phoneme string associated with a particular radio channel from a radio broadcast station in the manner recited in Applicants' independent Claims 1 and 11. As acknowledged on pages 3-4 of the Office Action, the Silver reference also fails to teach such a feature. For this reason, Applicants respectfully submit independent Claims 1 and 11 are patentably distinct over the Silver reference and the Hennecke reference under 35 U.S.C. § 103(a).

As no further rejections have been asserted against Applicants' independent Claims 1 and 11, Applicants respectfully submit that Claims 1 and 11 are allowable.

On pages 4-8, the Office Action rejects Claims 2, 4, 6-8, 10, 12, and 14-19 under 35 U.S.C. § 103(a) as being unpatentable over the Silver reference in view of the Hennecke reference. Applicants' Claims 2, 4, 6-8, and 10 are each believed to depend, either directly or indirectly, from Applicants' independent Claim 1 and are consequently believed allowable therewith. Similarly, Applicants' Claims 12 and 14-19 are believed to properly depend from Applicants' independent Claim 11 and are thus believed allowable therewith.

On page 8, the Office Action rejects Applicants' independent Claim 21 under 35 U.S.C. § 103(a) as being unpatentable over the Silver reference in view of the Hennecke reference. The Office Action recognizes that the Silver reference fails to teach at least two steps in Claim 21; i.e., the step of receiving a first radio channel and the phonetic spelling of at least one word associated therewith, and the step of generating a first phoneme string from the phonetic spelling. However, the Office Action contends that the Hennecke reference teaches both of these steps and, consequently, that it would have been obvious to one skilled in the art to modify the voice recognition system of the Silver reference with the data download training method of the Hennecke reference. Applicants respectfully traverse this rejection.

Applicants' independent Claim 21 recites, in relevant part, a method including the steps of: (1) receiving a first radio channel and the phonetic spelling of at least one word

associated therewith, and (2) generating a first phoneme string from the phonetic spelling. The Office Action states that the Hennecke reference teaches each of these steps. Applicants respectfully disagree. First, as explained above in detail in conjunction with Applicants' Claims 1 and 11, the Hennecke reference does not teach the step of receiving the phonetic spelling of at least one word *associated with a radio channel*. Second, the Hennecke reference does not teach the step of generating a first phoneme string *from the received phonetic spelling*; instead, as pointed out by the Office Action on page 9, the Hennecke reference teaches the step of generating a phoneme string from a voice input.

As stated previously, the prior art references must teach or suggest all of the claimed limitations before a *prima facie* conclusion of obviousness may be established under 35 U.S.C. § 103. MPEP § 2142. It should be appreciated from the foregoing that the Hennecke reference fails to teach at least two elements recited in Applicants' independent Claim 21. As acknowledged on page 9 of the Office Action, the Silver reference also fails to teach each of these claimed elements. For this reason, Applicants respectfully submit independent Claim 21 is patentably distinct over the Silver reference and the Hennecke reference under 35 U.S.C. § 103(a).

As no further rejections have been asserted against Applicants' independent Claim 21, Applicants respectfully submit that Claim 21 is allowable.

On pages 10-11, the Office Action rejects Claims 22-25 under 35 U.S.C. § 103(a) as being unpatentable over the Silver reference in view of the Hennecke reference. Applicants' Claims 22-25 each depend, either directly or indirectly, from Applicants' independent Claim 21 and are thus believed allowable therewith.

II. Prior Art Made of Record but Not Relied Upon

After reviewing the references made of record but not relied upon, Applicants believe that these references, whether taken singularly or in combination, do not form the basis of a valid rejection to claims.

III. Conclusion

In view of Applicants' forgoing amendments and remarks, it is respectfully submitted that the rejections set-forth in the final Office Action mailed December 1, 2006, have been overcome. Accordingly, Applicants respectfully submit that the Application is now in condition for allowance, and such allowance is earnestly requested. Should the Examiner have any questions or wish to further discuss this application, Applicants request that the Examiner contact the Applicants' attorneys at (480)385-5060. If for some reason Applicants have not requested a sufficient extension and/or has not paid a sufficient fee for this Response and/or for the extension necessary to prevent abandonment on this Application, please consider this as a request for an extension for the required time period and/or authorization to charge Deposit Account No. 502091 for any fee which may be due.

Respectfully submitted,

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